

Evanston Environment Board

Quorum Present

Thursday February 12, 2009

Board Members Present: David Dankert, William Gallagher, Susan Kaplan, Gemariah Borough, Anne Viner, Richard M. Kuntz, Eli A. Port, Susan Besson, Paige Finnegan, Edward J. McCall

Board Members Absent: Eli A. Port, Len Sciarra, Elizabeth Kinney, Gemariah Borough

Community Members Present: Carl Bova, Elizabeth Miller, Naomi Harris, Alex Wall, Ed Domingo, Kevin Glynn

Staff Present: Carl Caneva HHS, Carolyn Collopy Sustainability Coordinator, Karen Taira Ecology Center, Bob Dornecker Parks and Recreation, Jill Chambers Community Development

I Approval of minutes for January 8, 2009

- **P. Finnegan** called the meeting to order at 7:43 p.m. members introduced themselves. **A. Viner** motioned to approve the January meetings and **E. McCall** seconded.

II. Jill Chambers Community Development Department & Green Building Ordinance

- Presented input on the Green Building Ordinance, the one issue still presenting an obstacle is the Performance Bond. City of Evanston Staff is researching the use of Compliance Bonds etc. She has spoken with several insurance companies and they have stated, Performance Bonds are difficult to obtain and expensive. The legality of Performance Bonds has become an issue in Washington D.C. A performance bond protects the owner by ensuring the contractor finishes the project and meets the laws of the city. If the developer does not complete the job the city would have to complete the job and file suit. **C. Bova** agreed but, did not know the cost. He stated that in an ordinary performance bond, during the execution of the contract, some funds are in the contract and can be used to complete the work. **J. Chambers** stated that

much of the problem exists when contractors walk off the job prior to finishing. **C. Bova** stated with LEED certification the job is finished and there are no funds. **R. Kuntz** stated performance bonds do not sound like a good alternative. **J. Chambers** stated she is conversing with the Legal Department about Credit Bonds. The bond does not name the party responsible for ensuring LEED certification. **J. Chambers** reminded the group that using the certificate of occupancy was not a viable alternative as the building would be complete and the condo building owners would be responsible for bringing the building to LEED Certification. **J. Chambers** stated that this may be able to be addressed in the same manner as the Affordable Housing Tax or the Demolition Tax. **J. Chambers** stated she did not want to penalize developers for building Green Buildings. She suggested that upon submission of drawings the builder provide a checklist to the Community Development. **J. Chambers** read several approaches to LEED enforcement from different cities. **C. Bova** stated that one of the problems with enforcement is identifying the responsible party if the certification does not work. **A. Viner** stated that the enforcement portion may need to be addressed on a project to project basis rather than addressed in an ordinance. **J. Chambers** stated the ordinance needed to be enforceable and fair. She expressed interest in speaking with Northwestern University, to explore their enforcement practices. She stated the City of Evanston reviews plans for code compliance and life safety not for LEED certification. **A. Viner** stated the enforcement needed to be monetary in nature and be structured by a date with room for extensions. **J. Chambers** stated the continuing problem is who to identify to fine. **P. Finnegan** stated that the issue should be handled as a fee similar to the Affordable Housing Tax. **J. Chambers** stated buildings that do not attempt green or LEED pay into a fund this could take care of the issue. The City of Evanston would use this fund to pay out rebates to buildings that achieved the LEED status. **A. Viner** asked how this rebate program would enforce larger projects to get the certification when the rebate may not be enough to be an incentive. **J. Chambers** stated she would like to see a LEED Certified review of plans as they come into the City of Evanston. **S. Beeson** asked if the Green Building Council has any best practices with regard to the issue of assurance. **J. Chambers** stated there are three activities: 1. More research on the issue 2. \$10,000 up front tax 3. Amend the ordinance when there is more information and best practices. **D. Dankert** stated his support for passing the ordinance and amending to include enforcement when there are best practices. **B. Dornecker** recommended a meeting for members prior to the March 2, 2009 Human Services Committee meeting. **J. Chambers** stated her recommendation will be to recommend the

3rd option, the committee agreed. **C. Bova** stated he is in favor of having a method of collecting funds prior to construction he was unsure as to the dollar amount or the scale of the funds.

III. Old Business

- **Noise Ordinance** moved to March meeting.
- **Environment Board Strategic Planning**
 - **C. Caneva** requested members send Bio's and three top issues they would like to work on for the next meeting.
- **Safer Pest Control Project**
 - **S. Kaplan** updated members on the Integrated Pest Management (IPM) grant cooperating with Safer Pest Control. Steve Pincuspy updated **S. Kaplan**. She stated it would be helpful for the board to develop resolution stating support of natural lawn care. There is model language. **S. Beeson** asked if these statements were already in the city's contracts with the service providers. **C. Caneva** stated the language in the contracts reflects adherence to IPM methods. **B. Dornecker** stated that a web page will be online with an FAQ about dandelions, Parks and Recreation will share their policy with the Committee. **A. Viner** requested to see the policy prior to making a resolution. Does the board make a statement about the policy or a statement of support for the Safer Pest Control + COE project. **S. Beeson** was interested in finding out the objective prior to moving forward on SPC's request. **S. Kaplan** agreed and believed that SPC wanted a more general statement. She stated the goal possibly was to broaden the conversation and extending the policy. **B. Dornecker** will be promoting "Healthy Parks" on the website soon. **S. Kaplan** is interested in contacting the schools with regard to outreach and awareness. **S. Beeson** suggested the members get an understanding of desired outcomes before moving forward. **C. Caneva** will contact SPC to find out what the next steps of the project will be, and if they would like to address the committee at the next meeting. **E. Domingo** asked if there was a nationwide society focused on nationwide IPM managements. **S. Kaplan** mentioned American Society of Landscape Architects is also working programs.

W. Gallagher motioned to adjourn, **D. Dankert** seconded, meeting was adjourned at 9:00 p.m.